

EXHIBIT K

Larry Shaw

From: "eBay Customer Support" <vero@ebay.com>
To: <larry@spc-promotions.com>
Sent: Tuesday, June 03, 2003 1:50 PM
Subject: Received Fax/Removed Items 3226952680 3226261002 3225801636 3225800770 3226261002
2835252783 (KMM80408374V61148L0KM)

Hello Larry,

Thank you for taking the time to fax us your Notice of Infringement.

We are pleased to inform you that the listings you reported have been ended by eBay. In addition, we have notified the seller and all participating bidders that the listings were removed due to your request.

For your convenience, I have also included an electronic version of our Notice of Infringement form below. To reduce our response time, you may submit future Notices of Infringement electronically to vero@ebay.com.

If you should have any other questions or concerns regarding this matter, please do not hesitate to contact us again.

Best Regards,

Jacinda
eBay VeRO Group

**Electronic Notice of Claimed Infringement
(Original Signature on File)**

Date:

eBay Inc.
Attn: eBay VeRO Program
2145 Hamilton Ave.
San Jose, CA 95125
Fax Number: (408) 516-8811

Dear eBay:

I, the undersigned, state UNDER PENALTY OF PERJURY that

" I am, the owner, or an agent authorized to act on behalf of the owner, of certain intellectual property rights (IP Owner);
" I have a good faith belief that the listings identified below (by item number) offer items or contain materials that are not authorized by the IP Owner, its agent, or the law, and therefore infringe the IP Owners rights; and
" The information in this notice is accurate.

Please act expeditiously to remove the following listings.
Item Numbers: [complete]

List (or representative list) of works infringed: [complete]

SFA 00359

Larry Shaw

From: "Larry Shaw" <Larry@spc-promotions.com>
To: <Susanshaw@spc-promotions.com>
Sent: Tuesday, October 14, 2003 7:16 AM
Subject: Fw: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

----- Original Message -----

From: "Rob Bower" <rob_bower@earthlink.net>
To: <larry@spc-promotions.com>
Sent: Tuesday, October 14, 2003 12:59 AM
Subject: FW: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

Dear Sir,

We may be misinformed as to the nature of the material being offered in this and other Ebay listings. This is not a copy or reproduction of copyrighted material. This is the actual material removed from a book, legitimately acquired. These transactions are specifically addressed by U.S. and International Copyright Law under the heading "Limitations on exclusive rights: Effect of transfer of particular copy". I quote from the Digital Millennium Copyright Act, 17 U.S.C. Section \$109:

"(a) Notwithstanding the provisions of section 106(3), the owner of a particular copy or phonorecord lawfully made under this title, or any person authorized by such owner, is entitled, without the authority of the copyright owner, to sell or otherwise dispose of the possession of that copy or phonorecord."

Again, these items ARE NOT copies or reproductions in any way. I am merely "selling or otherwise disposing" of the legitimate copy in my possession. That copy was purchased, and royalties accrued to the copyright holder, whom I believe to be the De Dienes estate and its heirs.

Please inform Ebay that your VeRO filing was in error.

Thank you,
Rob Bower

-----Original Message-----

From: whyended@ebay.com [mailto:whyended@ebay.com]
Sent: Monday, October 13, 2003 10:39 PM
To: rob_bower@earthlink.net
Subject: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

Dear Robert J Bower (rob_bower@earthlink.net),

PLEASE READ THIS IMPORTANT EMAIL REGARDING YOUR LISTING(S)

We would like to let you know that we removed your listing:

3246296931 MARILYN MONROE in shorts, playing on bed

SFA 00412

10/14/2003

3246296970 MARILYN MONROE in sunshine - photo print

because a Verified Rights Owner (VeRO) Program participant notified us, under penalty of perjury, that your item infringes their copyright, trademark, or other rights.

We have credited any associated fees to your account. We have also notified the bidders that the listing(s) was removed, and that they are not obligated to complete the transaction.

If you relist this or any other similar items on eBay, your account likely will be suspended.

If you believe your listing was ended in error, or have questions regarding the removal of this listing, please contact the VeRO Program participant directly at:

Shaw Family Archives, Ltd
larry@spc-promotions.com

eBay is available to answer questions, but since it is the VeRO Program participant that requested the removal of your listings, we encourage you to contact them first.

For more information on the VeRO Program, and a list of VeRO Program participant About Me pages, please visit:

<http://pages.ebay.com/help/confidence/vero-removed-listing.html>
<http://pages.ebay.com/help/community/vero-aboutme.html>

Thank you for your cooperation.

Regards,

Customer Support (Trust and Safety Department)
eBay

SFA 00413

10/14/2003

Larry Shaw

From: "Larry Shaw" <Larry@spc-promotions.com>
To: <Susanshaw@spc-promotions.com>
Sent: Friday, October 17, 2003 10:11 PM
Subject: Re: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

Dear Mr. Bower,

Your reliance upon Section 109(a) of the copyright act is misplaced. The "first Sale" doctrine does not apply to the situation of taking photos intended to be part of a book and selling them as free standing works. *Mirage Editions v. Albuquerque A.R.T.* 856 F2d 1341 (1988).

Further I suggest you look at 106(A) section A2. (Mutilation of works). Additionally, Mr. Bower you are compounding your wrong doing by deliberate false designation of origin. You are listing for sale "color photo 12 x 16", "color photo", "12 x 16 photo", "glamour photo", "photo print", "photo", "limited edition 12 x 15 photo". If indeed you are attempting to sell nothing more than pages torn from a book, no where do you state that. What you do state is photo prints. False, deceptive, misleading and illegal in the context that you are attempting to operate.

Check with your attorney if you have one. Be assured Mr. Bower that I will take all necessary steps to deal with your activities. Including action in Federal Court right here in New York State. If you care to discuss this call me.

Very truly yours,
Larry Shaw
Shaw Family Archives, Ltd.
845-359-9528

cc: Michael Richter, Senior Counsel Intellectual Property, eBay
>

> ----- Original Message -----
> From: "Rob Bower" <rob_bower@earthlink.net>
> To: <larry@spc-promotions.com>
> Sent: Tuesday, October 14, 2003 12:59 AM
> Subject: FW: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program
>
>

> Dear Sir,

> We may be misinformed as to the nature of the material being offered in
> this and other Ebay listings. This is not a copy or reproduction of
> copyrighted material. This is the actual material removed from a book,
> legitimately acquired. These transactions are specifically addressed by
> U.S. and International Copyright Law under the heading "Limitations on
> exclusive rights: Effect of transfer of particular copy". I quote from
> the Digital Millennium Copyright Act, 17 U.S.C. Section §109:
>

> "(a) Notwithstanding the provisions of section 106(3), the owner of a
> particular copy or phonorecord lawfully made under this title, or any
> person authorized by such owner, is entitled, without the authority of
> the copyright owner, to sell or otherwise dispose of the possession of
> that copy or phonorecord."

>
> Again, these items ARE NOT copies or reproductions in any way. I am
> merely "selling or otherwise disposing" of the legitimate copy in my

> possession. That copy was purchased, and royalties accrued to the
> copyright holder, whom I believe to be the De Dienes estate and its
> heirs.
>
> Please inform Ebay that your VeRO filing was in error.
>
> Thank you,
> Rob Bower
>
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> -----Original Message-----
> From: whyended@ebay.com [mailto:whyended@ebay.com]
> Sent: Monday, October 13, 2003 10:39 PM
> To: rob_bower@earthlink.net
> Subject: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program
>
>
> Dear Robert J Bower (rob_bower@earthlink.net),
>
> **PLEASE READ THIS IMPORTANT EMAIL REGARDING YOUR LISTING(S)**
>
>
> We would like to let you know that we removed your listing:
>
>
> 3246296931 MARILYN MONROE in shorts, playing on bed
> 3246296970 MARILYN MONROE in sunshine - photo print
>
>
> because a Verified Rights Owner (VeRO) Program participant notified us,
> under penalty of perjury, that your item infringes their copyright,
> trademark, or other rights.
>
> We have credited any associated fees to your account. We have also
> notified the bidders that the listing(s) was removed, and that they are
> not obligated to complete the transaction.
>
> If you relist this or any other similar items on eBay, your account
> likely will be suspended.
>
> If you believe your listing was ended in error, or have questions
> regarding the removal of this listing, please contact the VeRO Program
> participant directly at:
>
> Shaw Family Archives, Ltd
> larry@spc-promotions.com
>
> eBay is available to answer questions, but since it is the VeRO Program
> participant that requested the removal of your listings, we encourage
> you to contact them first.
>
> For more information on the VeRO Program, and a list of VeRO Program
> participant About Me pages, please visit:
>
> <http://pages.ebay.com/help/confidence/vero-removed-listing.html>
> <http://pages.ebay.com/help/community/vero-aboutme.html>
>
> Thank you for your cooperation.
>

SFA 00415

COUNTER-NOTICE REGARDING REMOVED LISTING*

I. **Penalty of Perjury Statement.** I CERTIFY UNDER SWORN PENALTY OF PERJURY that I am sending this notification on the basis of my good faith belief that the listings or other materials referred to below do not involve infringing materials or uses and have been identified by a Verified Intellectual Property Owner, its agent, or law enforcement as infringing by mistake or due to misidentification. (List items below)

Item Number 6151 Attached

II. **Consent to Federal Jurisdiction.** I consent to the jurisdiction of the Federal District Court for the address provided below, or if such address is outside the United States, I consent to jurisdiction of the Federal District Court, County of Santa Clara, California.

III. **Consent for Service of Process.** I agree to accept service of process from the Verified Intellectual Property Owner, its agent, or law enforcement.

IV. **Contact Information.** I certify that the following contact information is accurate and valid. I acknowledge that eBay will compare the contact information provided herein with my eBay contact information, and false or fraudulent information may result in suspension of my eBay account.

V. I understand that my knowing misrepresentation herein that material was removed by mistake or misidentification may make me liable under federal law for damages, including costs and attorneys' fees. See 17 U.S.C. section 512.

VI. I understand that if the reporting party disagrees with the Counter-Notice it may file a legal action against me to prevent the re-listing of the removed items.

VII. **Acknowledgment.** I acknowledge that this notice is filed under penalty of perjury. I may be contacted at:

Name Robert J Bower
Street Address* 155 West Main Street

City and State Sunnyvale

Zip 94087

E-mail ROB.BOWER@earthlink.net

Telephone (415) 342-3992

Fax (415) 342-4091

Date 10/14/2003

Signature Robert J Bower

UNDER SWORN PENALTY OF PERJURY

Fax this completed Counter-Notice to eBay at (408) 516-3811. Attach to this notice any relevant correspondence, including emails, with eBay or the intellectual property owner.

* This Counter-Notice complies substantially with the requirements of the Digital Millennium Copyright Act, 17 U.S.C. section 512.

** Please provide the street address at which you reside; a Post Office (P.O.) Box or the like is not sufficient.

3232675086 young MARILYN MONROE in green sweater, color
3233824384 young MARILYN MONROE playing volleyball
3235903522 MARILYN MONROE closeup color Photo, 12x16
3235903719 young MARILYN MONROE at beach, Color Photo
3235904249 MARILYN MONROE in 2-piece bathing suit
3235904594 MARILYN MONROE barefoot, jeans, in barn
3236235207 MARILYN MONROE in beach robe, color photo
3242672026 young MARILYN MONROE in pigtails, Color Photo
3245997430 MARILYN MONROE in western gear 12x16 photo
3246001612 MARILYN MONROE barefoot in poodle skirt
3246002056 MARILYN MONROE in beach robe - Color Photo
3246003305 glamour photo, MARILYN MONROE wading in surf
3246058376 young MARILYN MONROE rock climbing, color
3246058824 MARILYN MONROE at soda fountain, photo print
3246058972 MARILYN MONROE eating ice cream sundae, photo
3246792509 MARILYN MONROE Limited Edition 12x15 Photo
3246793769 young MARILYN MONROE in autumn leaves, color
3246793880 MARILYN MONROE on beach with parasol, color
3246794018 MARILYN MONROE in restaurant, photo print
3246794137 MARILYN MONROE in beauty parlor, photo print
3556722536 MARILYN MONROE in pink sweater - Color Photo
3246296931 MARILYN MONROE in shorts, playing on bed
3246296970 MARILYN MONROE in sunshine - photo print

Larry Shaw

From: "eBay Customer Support" <vero@ebay.com>
To: "Larry Shaw" <larry@spc-promotions.com>
Sent: Sunday, October 19, 2003 11:39 PM
Subject: Re: VE62825 Response to your email to eBay's VERO Department.
(KMM93365818V91604L0KM)

Hello Larry,

Thank you for contacting eBay.

We appreciate you providing us with your correspondence with the eBay member in question. We hope that this situation can be resolved amicably.

If you should have any other questions or concerns regarding this matter, please do not hesitate to contact us again.

Regards,

Alfred
eBay VeRO Team

eBay
Your Personal Trading Community (tm)

Important: eBay will not ask you for sensitive personal information (such as your password, credit card and bank account numbers, Social Security numbers, etc.) in an email. Learn more account protection tips at:

http://www.pages.ebay.com/help/account_protection.html

For our latest announcements, please check:

<http://www2.ebay.com/aw/announce.shtml>

(39263325)

Original Message Follows:

> Dear Mr. Bower,
>
> Your reliance upon Section 109(a) of the copyright act is misplaced.
The
> "first Sale" doctrine does not apply to the situation of taking photos
> intended to be part of a book and selling them as free standing works.
> *Mirage Editions v. Albuquerque A.R.T.* 856 F2d 1341 (1988).
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> Further I suggest you look at 106(A) section A2. (Mutilation of works).
 > Additionally, Mr. Bower you are compounding your wrong doing by
 deliberate
 > false designation of origin. You are listing for sale "color photo 12
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 > 16", "color photo", "12 x 16 photo", "glamour photo", "photo print",
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 attempting to
 > sell nothing more than pages torn from a book, no where do you state
 that.
 > What you do state is photo prints. False, deceptive, misleading and
 illegal
 > in the context that you are attempting to operate.
 >
 > Check with your attorney if you have one. Be assured Mr. Bower that I
 will
 > take all necessary steps to deal with your activities. Including
 action
 in
 > Federal Court right here in New York State. If you care to discuss
 this
 > call me.
 >
 > Very truly yours,
 > Larry Shaw
 > Shaw Family Archives, Ltd.
 > 845-359-9528
 > cc: Michael Richter, Senior Counsel Intellectual Property, eBay
 >
 > ----- Original Message -----
 > > From: "Rob Bower" <rob_bower@earthlink.net>
 > > To: <larry@spc-promotions.com>
 > > Sent: Tuesday, October 14, 2003 12:59 AM
 > > Subject: FW: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program
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 > > Dear Sir,
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 > > "(a) Notwithstanding the provisions of section 106(3), the owner of
 a
 > > particular copy or phonorecord lawfully made under this title, or
 any
 > > person authorized by such owner, is entitled, without the authority
 of
 > > the copyright owner, to sell or otherwise dispose of the possession
 of
 > > that copy or phonorecord."

SFA 00419

10/20/2003

> >
> > Again, these items ARE NOT copies or reproductions in any way. I am
> > merely "selling or otherwise disposing" of the legitimate copy in my
> > possession. That copy was purchased, and royalties accrued to the
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> > Thank you,
> > Rob Bower
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> > -----Original Message-----
> > From: whyended@ebay.com [mailto:whyended@ebay.com]
> > Sent: Monday, October 13, 2003 10:39 PM
> > To: rob_bower@earthlink.net
> > Subject: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program
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> > Dear Robert J Bower (rob_bower@earthlink.net),
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> >
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> >
> > eBay is available to answer questions, but since it is the VeRO
Program
> > participant that requested the removal of your listings, we
encourage
> > you to contact them first.
> >

SFA 00420

> > For more information on the VeRO Program, and a list of VeRO Program
> > Participant About Me pages, please visit:
> >
> > <http://pages.ebay.com/help/confidence/vero-removed-listing.html>
> > <http://pages.ebay.com/help/community/vero-aboutme.html>
>
> > Thank you for your cooperation.
> >
> > Regards,
> >
> > Customer Support (Trust and Safety Department)
> > eBay
>

SFA 00421

10/20/2003